

**UIPA RECORD REQUEST LOG**  
**FREQUENTLY ASKED QUESTIONS (FAQ)**  
**August 2012**

The UIPA Record Request Log Instructions will answer most questions about how to complete the Log. Here are additional questions that are not addressed in the instructions, but were raised during earlier testing of the Log. For any additional questions, please call OIP at 586-1400 or email [oiip@hawaii.gov](mailto:oiip@hawaii.gov). For updates, please look for OIP's What's New emails and articles on its website at [hawaii.gov/oiip](http://hawaii.gov/oiip).

**1. When do agencies have to start using the Log?**

As soon as possible. The Log's initial deployment will be to all state Executive Branch agencies.

**2. Why are agencies required to fill out the Log?**

The Uniform Information Practices Act (UIPA) requires each agency to "[t]ake steps to assure that all its employees and officers responsible for the collection, maintenance, use, and dissemination of government records are informed of the requirements of this chapter." HRS § 92F-18(a)(2). The law also states that "[e]ach agency shall compile a public report describing the records it routinely uses or maintains **using forms prescribed by the office of information practices.**" HRS § 92F-18(b). Each agency must file an annual report "to ensure that the information remains accurate and complete." HRS § 92F-18(c).

**3. Why did OIP create the Log?**

The state Office of Information Practices (OIP) has created the Log as a uniform tool/method of collecting data that each state and county department/agency must provide to OIP. Because of Governor Neil Abercrombie's open data initiative, the State now has the centralized state website – **data.hawaii.gov** – where the information collected in this Log can be easily posted, summarized, and used to create various reports and visualizations by agency, department, and branch of government to show how Hawaii's open records law is working. OIP has posted a Master Log onto data.hawaii.gov, where each agency will report the total numbers from their own Logs.

The Log is a useful tool to help agencies meet their UIPA obligations, as it will assist agencies to keep track of UIPA requests, so that the requests do not go unresolved when the personnel handling them may have forgotten to respond, have gone on vacation, or have left their jobs. The Log also helps agencies to comply with the UIPA because the process of filling out the data and the Log's helpful instructions will guide agency personnel in properly responding to UIPA requests. Moreover, based on the agencies' entry of its response time and fee waivers, the Log automatically calculates search, review, and segregation fees. Overall, the Log data will give agencies, OIP, the Legislature, and the general public a better analysis of how the UIPA is working in Hawaii, including how many

UIPA requests are being made, how requests are resolved, the timeliness of agencies' UIPA responses, the amount of resources being used to fulfill agencies' UIPA obligations, and how many fee waivers are being granted.

Notably, OIP has not revised its administrative rules setting forth allowable fees and waivers since 1998, and there have been many changes in personnel costs and technology since then. Before it considers possible amendments to its administrative rules, OIP is seeking objective data that is collected in a uniform manner, which can be used to evaluate whether any rule changes are warranted.

Finally, data from the Log can be used to measure the effectiveness of the UIPA and data.hawaii.gov. The baseline information collected by the Log can be compared over time with new data to determine the impact of the State's open data and modernization efforts on the number, outcomes, fees, and costs of UIPA record requests and the amount of agency staffing/time needed to fulfill them. Additionally, the Log data may help to identify and support improvements, such as electronic processing of record requests.

#### **4. Do routine requests have to be tracked?**

**Yes, but not on the Log.** Routine requests, where the agency has established a fee schedule and the UIPA Notices to Requester are not sent, are not being tracked via the Log. **Instead, each agency is expected to track, on its own, the total number of routine requests that it receives** and to add the total number to the agency's Log when it is uploaded to the Master Log on data.hawaii.gov.

#### **5. Do agencies still have to fill out OIP's "Log of Written Requests for Access to Agency Records" or the "Report of Statistical Information Required by the UIPA, Section 92F-18(b)(12)" that were formerly required by the Records Report System?**

No. This new Log replaces both of those previous reports.

#### **6. Why are there so many columns and instructions and do they all have to be filled out?**

While there are a lot of columns, you should not feel intimidated by their appearance. The columns are easy to fill out if you have an average knowledge of the UIPA. Moreover, not all columns have to be filled out and many will be automatically calculated or populated for you. For example, how a request is resolved has nine possible column entries, but one column is automatically calculated and this section could be filled out with as little as two entries by the agency. (See Example 1 for a typical request.) Ten of the Log's columns do not require any entry by the agency as they will be automatically calculated or populated. Finally, if there is no complex request, then Columns J and K do not have to be filled out.

The other columns, however, must be filled out by the agency. For example, in order to determine the timeliness of the agency's responses, dates must be entered. In order to

have the log automatically calculate the chargeable fees, the actual time spent on search, review, and segregation must be entered.

A full set of instructions is provided in a separate document, but there are also some instructions in the column headings and online pop-ups for easy reference while using the Log. Because of users' differing levels of UIPA knowledge and to ensure that data is uniformly and properly collected, detailed instructions are provided to answer most people's questions, without necessarily requiring any additional training.

**If you need training on the UIPA itself, you can study the various videos, guides, and other training materials at OIP's website:**

**<http://hawaii.gov/oip/training.html>.**

#### **7. Can the formulas be viewed and can the Log be revised?**

Yes, like any excel spreadsheet, you can see the formulas in the Log's formula bar, but the Log formulas are locked and cannot be revised. Because the Log will be uploaded to data.hawaii.gov and is meant to uniformly collect data at various levels of government, the Log has been locked to prevent its columns, formulas, and instructions from being accidentally modified or deleted. Your agency's UIPA coordinator, however, can contact OIP to obtain an unlocked spreadsheet in case your department needs to modify the Log.

#### **8. Why do we have to keep track of search, review, and segregation (SRS) time, when the agencies are not charging for the records and it costs more to process payment than to give the records to the requester?**

If it is a routine request for which a Notice to Requester has not been sent, it is not necessary to track SRS time.

Even if the agency is not now charging for UIPA record requests or waives most fees, the agency should keep track of the time it spends on requests in which it sends a Notice to Requester. Objective data from the agencies themselves about how much time it actually spends to respond to such record requests will help to provide a true measure of the costs and benefits of the UIPA. The data can be analyzed to determine whether and how OIP's 1998 rules regarding allowable fees, costs, and waivers could be changed in light of increased personnel costs and technology, and whether a more efficient system can be developed to fulfill record requests. Over time, this data could also help the State to evaluate how its efforts to upgrade its technology and to provide more readily accessible information through data.hawaii.gov have impacted agency staff time and resources to fulfill UIPA record requests.

#### **9. Why can't OIP just distribute a survey asking agencies to provide the information desired, rather than using a Log?**

Because a lot of detailed information is needed for OIP's study of fees, costs, and waivers, the Log was developed as an excel spreadsheet to uniformly and electronically collect data. The Log also automatically calculates for the agencies many amounts that could not be easily provided by the agencies in response to a multi-page survey. As an excel

spreadsheet, the Log data can be easily uploaded to data.hawaii.gov, where it will be summarized and publicly available to view or create various reports.

**10. Can the agency use a printed version of the Log to manually write in their entries?**

Not unless someone will later enter the data onto the computer. Manually entered data cannot be uploaded to data.hawaii.gov and will not provide the benefit of having totals and various formulas automatically calculated.

**11. Does each agency have to turn in its Log to OIP?**

Not directly to OIP. Each agency's Log totals must be uploaded to OIP's Master Log on data.hawaii.gov. Separate instructions on how to do this are posted on the training page of OIP's website at [hawaii.gov/oip](http://hawaii.gov/oip).

**12. How often must the Log data be uploaded to data.hawaii.gov?**

Beginning in 2013, agencies must upload their Log data twice a year to their department's Master Log on data.hawaii.gov as follows: (1) semiannually, to cover record requests received by the agency from July 1 through December 31, which must be uploaded by January 31; and (2) annually, to cover the requests made during the entire fiscal year from July 1 through June 30, which must be uploaded by the following July 31. For instructions on how to upload the Log data to data.hawaii.gov, go to OIP's training page on its website at [hawaii.gov/oip](http://hawaii.gov/oip).

**13. Do I start a new Log with each new fiscal year?**

Yes, the Log is to be kept on a fiscal year basis, which begins on July 1 and ends on June 30. Every July 1, please start a new Log of record requests received from that date forward. Do not start a new Log after uploading your semiannual results to data.hawaii.gov in January, because you will use one Log for the entire fiscal year.

This means, however, that you will be working with two Logs for approximately one month after each fiscal year ends on June 30 because you will still be inputting results in the prior year's Log regarding pending requests received in that year, while also recording new requests in the current fiscal year's Log. Specifically, because the agency's fiscal year-end Log does not have to be uploaded to data.hawaii.gov until July 31, you have a month to try to resolve and to report all requests received during the prior fiscal year.

**14. What is the retention period for the Logs?**

Each agency must retain the electronic and paper versions of its Logs for 20 years.

**15. How many record requests can I record on the Log?**

Although the print area for the log is currently set at 50 requests, the Log can actually record up to 1000 requests. If you need to record more than 1000 requests, you can contact OIP for help in adding more rows to the Log.